



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,415	03/07/2002	Manuel Nedbal	01.298.01	8892
23117	7590	10/04/2005	EXAMINER	
NIXON & VANDERHYE, PC			KANG, INSUN	
901 NORTH GLEBE ROAD, 11TH FLOOR			ART UNIT	PAPER NUMBER
ARLINGTON, VA 22203			2193	

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/091,415

Applicant(s)

NEDBAL ET AL.

Examiner

Insun Kang

Art Unit

2193

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/5/2002 and 3/7/2002.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-90 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-90 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 June 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

RD

DETAILED ACTION

1. This action is responding to application papers dated 6/5/2002 and 3/7/2002.
2. Claims 1-90 are pending in the application.

Drawings

3. Figure 28 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

4. The abstract of the disclosure is objected to because it contains the text "[Figure 8]," which needs to be deleted. Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 112

5. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2193

6. Claims 1-90 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Per claims 1-30, 35, 37, 40, 50, 52, 55, 61-90, these claims use the word "operable." It is unclear whether the functionalities such as receiving at said destination computer operation in claim 1 is actually performed or it is only an intended action. The former is used for interpretation. Appropriate correction using more definite word(s) is required.

Claim Rejections - 35 USC § 102

7. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

8. Claims 1-90 are rejected under 35 U.S.C. 102(e) as being anticipated by Uszok et al. (US PG Pub. No. 2004/0205772) hereinafter referred to as "Uszok."

Per claim 1:

Uszok discloses:

- triggering an operation at a destination computer using data transferred between a source computer and said destination computer(i.e. paragraph 0009)

Art Unit: 2193

-receiving code operable to receive at said destination computer operation specifying XML data sent by said source computer(i.e. 0050, 0014, 0055)
-parsing code operable to parse said operation specifying XML data to identify one or more complex data types within said operation specifying XML data (i.e. 0057);
-matching code operable to match the or each complex data type with an associated execution process available to said destination computer (i.e. 0057); and
triggering code operable to trigger processing by the or each execution process associated with a complex data type within said operation specifying XML data (i.e. 0054, 0064) as claimed.

Per claim 2:

The rejection of claim 1 is incorporated, and further, Uszok discloses:

- wherein parameter data used by an execution process is represented by data within said complex data type of said execution process (i.e. 0069,0077,0088) as claimed.

Per claim 3:

The rejection of claim 1 is incorporated, and further, Uszok discloses:

- wherein said operation performed includes making a call to an API available to said destination computer (i.e. 0137) as claimed.

Per claim 4:

The rejection of claim 1 is incorporated, and further, Uszok discloses:

-wherein said operation performed includes configuring said destination computer to execute a computer program (i.e. 0100) as claimed.

Art Unit: 2193

Per claim 5:

The rejection of claim 4 is incorporated, and further, Uszok discloses:

- wherein said execution process is operable to map configuration data specified within said operation specifying XML data to a configuration data store of said destination computer (i.e. 0064) as claimed.

Per claim 6:

The rejection of claim 5 is incorporated, and further, Uszok discloses:

- wherein said configuration data store is one of: a Windows Registry entry; an INI file; a DAPI store; and a database entry (i.e. 0048) as claimed.

Per claim 7:

The rejection of claim 1 is incorporated, and further, Uszok discloses:

- wherein an identifier of an execution process within said complex data type includes at least one of: data specifying a computer file operable to trigger said execution process; data specifying a communication channel operable to trigger said execution process; and data specifying an operating system command operable to trigger said execution process (i.e. 0070) as claimed.

Per claim 8:

The rejection of claim 1 is incorporated, and further, Uszok discloses:

- wherein said operation includes returning result data from said destination computer to said source computer in dependence upon said operation performed by said execution process (i.e. 0009, 0070, 0093) as claimed.

Per claim 9:

Art Unit: 2193

The rejection of claim 8 is incorporated, and further, Uszok discloses:

- wherein said result data includes data specifying existing configuration data of said destination computer (i.e. 0122) as claimed.

Per claim 10:

The rejection of claim 9 is incorporated, and further, Uszok discloses:

- wherein said execution process is operable to map existing configuration data of said destination computer stored within a configuration data store of said destination computer to said result data to be returned to said source computer (i.e. 0100) as claimed.

Per claim 11:

The rejection of claim 10 is incorporated, and further, Uszok discloses:

- wherein said configuration data store is one of: a Windows Registry entry; an INI file; a DAPI store; and a database entry (i.e. 0048) as claimed.

Per claim 12:

The rejection of claim 10 is incorporated, and further, Uszok discloses:

- wherein said result data is passed from said destination computer to said source computer as XML data (i.e. 0088, 0128) as claimed.

Per claim 13:

The rejection of claim 1 is incorporated, and further, Uszok discloses:

- wherein said operation includes returning result data from said destination computer to said source computer in dependence upon whether or not said execution process is available to said destination computer (i.e. 0050, 0068) as claimed.

Art Unit: 2193

Per claim 14:

The rejection of claim 1 is incorporated, and further, Uszok discloses:

- wherein an operation that may be performed by said destination computer includes installing a new execution process (i.e. 0083) as claimed.

Per claim 15:

The rejection of claim 1 is incorporated, and further, Uszok discloses:

-wherein said operation specifying data is validated by said destination computer by comparing with a 10 template defining valid data (i.e. 0073) as claimed.

Per claim 16:

Uszok discloses:

-triggering an operation at a destination computer using data transferred between a source computer and said destination computer

-data forming code operable to form at said source computer operation specifying XML data containing one or more complex data types (i.e. 0050, 0014, 0055)

-transmitting code operable to transmit from said source computer to said destination computer said operation specifying XML data(i.e. 0057); wherein the or each complex data type within said operation specifying XML data corresponds to an execution process available to said destination computer to be triggered to operate (i.e. 0054, 0064) as claimed.

Art Unit: 2193

Per claims 17-30, they are another product versions of claims 2-15, respectively, and are rejected for the same reasons set forth in connection with the rejection of claims 2-15 above.

Per claims 31-45, they are the method versions of claims 1-15, respectively, and are rejected for the same reasons set forth in connection with the rejection of claims 1-15 above.

Per claims 46-60, they are the method versions of claims 16-30, respectively, and are rejected for the same reasons set forth in connection with the rejection of claims 16-30 above.

Per claims 61-75, they are the apparatus versions of claims 1-15, respectively, and are rejected for the same reasons set forth in connection with the rejection of claims 1-15 above.

Per claims 46-60, they are the apparatus versions of claims 16-30, respectively, and are rejected for the same reasons set forth in connection with the rejection of claims 16-30 above.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Insun Kang whose telephone number is 571-272-3724. The examiner can normally be reached on M-F 7:30-4 PM.

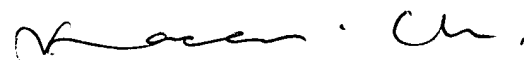
Art Unit: 2193

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kakali Chaki can be reached on 571-272-3719. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: 571-272-2100.

I. Kang
AU 2193



KAKALI CHAKI
SENIOR PATENT EXAMINER
TECHNOLOGY CENTER 2100